

**EXHIBIT**

**D**



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October 13, 2005

VIA FACSIMILE 202-776-7801

Patrick D. McPherson, Esq.  
Duane Morris LLP  
1667 K Street  
N.W., Suite 700  
Washington, D.C. 20006-1608

Re: STC RFP ID: GSME7 VAS&IN Location-Based Services and U.S. 5,327,144

Dear Pat:

We write to express our disappointment with Andrew's October 6 communication and to repeat TruePosition's request that Andrew provide written notification that it will terminate any offers to supply infringing equipment to STC.

Your letter response of October 6 was disconcerting. In particular, Andrew has failed to assure TruePosition that it will discontinue any infringing acts, although Andrew was specifically requested to do so. Furthermore, while ignoring TruePosition's request for assurances of non-infringement, Andrew demands that TruePosition explain to Andrew the particulars of its own infringement. As you know, while Andrew knows the complete scope of its activities with its customers, including STC, TruePosition does not.

Nevertheless, TruePosition has set forth in Attachment A its comparison between the inventions of Claims 22, 23, 25, 26, 28 and 30 of the 144 Patent, on the one hand, and Andrew's apparent or contemplated activities with STC, as indicated by the STC RFP, on the other. Other claims of the 144 Patent may be at issue as well. If you have any questions about the charts in Attachment A, please let me know.

We trust that the charts in Attachment A address Andrew's concerns.

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Now please address TruePosition's concerns. Please confirm, in writing, by October 18, that Andrew will discontinue any offer to supply equipment from the United States that will locate mobile telephones using reverse control channel signal data to implement TDOA.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read 'Paul Milcetic', with a stylized flourish at the end.

Paul B. Milcetic

cc: Fred Beckley, Esq. (via facsimile and electronic mail)



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ATTACHMENT A

## Claim 22

<p>22. A ground-based cellular telephone system serving a plurality of subscribers possessing mobile cellular telephones, comprising:</p>	<p>The RFP contemplates a ground-based cellular telephone system serving a plurality of subscribers possessing mobile cellular telephones.</p> <p><i>See, e.g., RFP §§ Title Page; 2.3.2; 2.7; 2.8; 13.1.1.</i></p>
<ul style="list-style-type: none"> <li>• (a) at least three cell sites equipped to receive signals sent by multiple mobile cellular telephones each initiating periodic signal transmissions over one of a prescribed set of reverse control channels;</li> </ul>	<p>The RFP contemplates using at least three cell sites equipped to receive signals sent by multiple mobile cellular telephones each initiating periodic signal transmissions over one of a prescribed set of reverse control channels.</p> <p><i>See, e.g., RFP §§ 2.5.1; 2.5.3; 2.6.1; 2.6.2.4; 2.7.9; 2.7.13; 2.8; 20.1.4.</i></p>
<ul style="list-style-type: none"> <li>• (b) locating means for automatically determining the locations of said cellular telephones by receiving and processing signals emitted during said periodic reverse control channel transmissions; and</li> </ul>	<p>The RFP contemplates locating means for automatically determining the locations of said cellular telephones by receiving and processing signals emitted during said periodic reverse control channel transmissions.</p> <p><i>See, e.g., RFP §§ 2.5.1; 2.5.3; 2.6.1; 2.6.2.4; 2.7.9; 2.7.13; 2.8; 20.1.4.</i></p>
<ul style="list-style-type: none"> <li>• (c) database means for storing location data identifying the cellular telephones and their respective locations, and for providing access to said database to subscribers at remote locations.</li> </ul>	<p>The RFP contemplates database means for storing location data identifying the cellular telephones and their respective locations, and for providing access top said database to subscribers at remote locations.</p> <p><i>See, e.g., RFP §§ 2.5.4; 2.7.4; 2.7.5; 2.7.6.</i></p>

## Claim 23

<p>23. A ground-based cellular telephone system as recited in claim 22, further comprising means for providing location data to a specific one of said cellular telephones upon request by the specific telephone.</p>	<p>The RFP contemplates ground-based cellular telephone system comprising means for providing location data to a specific one of said cellular telephones upon request by the specific telephone.</p> <p><i>See, e.g., RFP § 2.75.</i></p>
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## Claim 25

25. A ground-based cellular telephone system as recited in claim 22, further comprising means for transmitting a signal to a selected cellular telephone to cause said selected telephone to transmit a signal over a control channel.

The RFP contemplates a ground-based cellular telephone system comprising means for transmitting a signal to a selected cellular telephone to cause said selected telephone to transmit a signal over a control channel.

*See, e.g., RFP §§ 2.7.4, 2.7.5, 2.7.6, 2.7.7.*

## Claim 26

26. A ground-based cellular telephone system as recited in claim 22, further comprising means for automatically sending location information to a prescribed receiving station in response to receiving distress signal from a cellular telephone, whereby emergency assistance may be provided to a subscriber in distress.

The RFP contemplates a ground-based cellular telephone system comprising means for automatically sending location information to a prescribed receiving station in response to receiving distress signal from a cellular telephone, whereby emergency assistance may be provided to a subscriber in distress.

*See, e.g., RFP § 2.53.*

## Claim 28

28. A ground-based cellular telephone system as recited in claim 22, further comprising means for detecting a lack of signal transmissions by a given telephone and in response thereto automatically paging said given telephone to cause said given telephone to initiate a signal transmission.

The RFP contemplates a ground-based cellular telephone system comprising means for detecting a lack of signal transmissions by a given telephone and in response thereto automatically paging said given telephone to cause said given telephone to initiate a signal transmission.

*See, e.g., RFP §§ 2.5.4; 2.7.4, 2.7.5, 2.7.6, 2.7.7.*

## Claim 30

30. A ground-based cellular telephone system as recited in claim 22, further comprising means for continuously tracking a given telephone by receiving voice signals transmitted by said given telephone over a voice channel and determining the location of said given telephone on the basis of said voice signals.

The RFP contemplates a ground-based cellular telephone system comprising means for continuously tracking a given telephone by receiving voice signals transmitted by said given telephone over a voice channel and determining the location of said given telephone on the basis of said voice signals.

*See, e.g., RFP § 2.7.13.*